

IN THE MATTER OF
THE APPLICATION OF
ELIZABETH ATUEYI, ET AL
FOR VARIANCE ON PROPERTY LOCATED
540' EAST OF THE CENTERLINE
MARY RIDGE ROAD
(14 VIVIAN VALE COURT)
2ND ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO: 94-70-A

OPINION

This matter comes before the Board as a Petition for Variance to permit a distance between two buildings of 13 ft. in lieu of the required 25 ft. for buildings between the height of 20 ft. and 25 ft. The Petitioners, Elizabeth and Georgina Atueyi, testified; and their contractors, Richard Ely and Cecil Ogle, also testified. Five exhibits were entered into evidence. Petitioners' Exhibit No. 1 was signed by the owners of six neighboring properties. The next-door neighbors on both sides signed this petition stating that they do not intend to protest nor do they have any problem with the erection or building of the proposed garage.

From the testimony and exhibits, the Board finds the following facts:

The Petitioners seek to construct a 20 ft. by 24 ft. two-car garage on the driveway side of their property known as 14 Vivian Vale Court. The proposed garage will be 3 ft. from the property line between 14 and 16 Vivian Vale Court, and 13 ft. from the dwelling known as 16 Vivian Vale Court. The Petitioners' property is improved with a five-bedroom house with an aluminum siding exterior, a shingle roof, and aluminum downspouts and gutters. The lot size is approximately 8,000 sq. ft. The backyard is improved

Case No. 94-70-A Elizabeth Atueyi, et al
with a 15'5" by 14' deck. The rear yard slopes downward away from the house. The basement is at or near grade level. The Petitioners believe they need the garage primarily for the safety of themselves and their family. Each of the Petitioners has four children who reside at the property. The proposed garage will be constructed with matching siding, roof shingles, and downspouts and gutters. Add-on garages have been constructed in the neighborhood. The exterior appearance of the property and the proposed garage will be compatible with the neighborhood.

From the evidence presented, the Board concludes that the Petitioners have met their burden of proof under Section 307 of the Baltimore County Zoning Regulations (BCZR). Specifically, the Petitioners have shown practical difficulty in regard to protecting the safety of their family from crime which is rampant in our society. Moreover, special conditions exist which are peculiar to the land and which would prohibit the construction of the garage elsewhere on the property. The rear yard is not suitable for the construction of a garage for both structural and compatibility reasons. The Board further concludes that the proposed garage would cause no injury to the public health, safety or general welfare, and that the granting of the requested variance would be in strict harmony with the spirit and intent of the BCZR.

ORDER

THEREFORE, IT IS this 8th day of March, 1994, by the County Board of Appeals of Baltimore County,

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Case No. 94-70-A Elizabeth Atueyi, et al

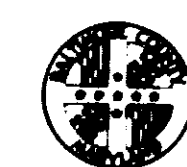
ORDERED that the requested variance to permit a distance between two buildings of 13 ft. in lieu of the required 25 ft. for buildings between the height of 20 ft. and 25 ft. be GRANTED; and that the Final Development Plan of Old Mill Estates may be amended in accordance with this Order.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Judson H. Lipowitz, Acting Chairman
Harry E. Buchheister, Jr.
S. Diane Levero

3



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

March 8, 1994

Ms. Elizabeth Atueyi
14 Vivian Vale Court
Randallstown, MD 21133

RE: Case No. 94-70-A
Elizabeth Atueyi, et al -Petitioners

Dear Ms. Atueyi:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer
Administrative Assistant

Enclosure

cc: Ms. Georgina Atueyi
Mr. Stuart Carasik
People's Counsel for Baltimore County
Jim Shea /Building Inspection
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

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IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
14 Vivian Vale Court, 540 ft. * ZONING COMMISSIONER
*- E of c/l Mary Ridge Rd. * OF BALTIMORE COUNTY
14 Vivian Vale Court *
2nd Election District *
2nd Councilmanic District *
Elizabeth Atueyi, et al * Case No. 94-70-A
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for and Administrative Variance for that property located at 14 Vivian Vale Court in Randallstown section of Baltimore County. The Petitioners seek relief from Section 1801.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.3.b of the Comprehensive Manual of Development Policy (CHDP) to permit a distance between two buildings of 13 ft. in lieu of the required 25 ft., for buildings between the height of 20 and 25 ft. Also sought is an amendment to the Final Development Plan of Old Mill Estates, Section 1. The requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

This Petition was originally filed as an Administrative Variance, which does not mandate a public hearing. That is, under Section 26-127 of the Baltimore County Code, the Zoning Commissioner is empowered to grant variances from certain area and height regulations without a public hearing if the subject of the Petition involves an owner/occupied lot zoned residential. However, a public hearing can be mandated when same is requested by an owner of property who lives within 1,000 ft. of the subject site or requested by the Zoning Commissioner. In this case, correspondence was received from Stuart Carasik, who resides at 10 Vivian Vale

Court. Although Mr. Carasik's correspondence does not object to the Petition, per se, certain information was related within that correspondence that, in my view, justified a public hearing.

Appearing at the public hearing on behalf of the Petition was Cecil Ogle, a contractor with City Maintenance Corporation. It is apparently his company that will construct the proposed garage. Inexplicably, neither of the property owners appeared.

Mr. Ogle indicated that the Petitioners propose to construct a 20 x 24 ft. garage on the east side of the property. The garage will maintain a 3 ft. setback distance from the property line. The adjacent dwelling on the east side is 10 ft. from the common property line; thus, a total distance of 13 ft. will be maintained. This is less than the required 25 ft. At the present time, a distance of approximately 33 ft. is maintained. After the hearing, Mr. Ogle also submitted a copy of a Petition. This document, which has been marked as Petitioners' Exhibit No. 2, indicates that the signatories thereto "do not intend to protest or have any problem with the erection or building of the proposed garage."

As to the proposed use of the garage, no explanation was offered. Mr. Ogle did not testify as to why a garage of the dimensions proposed was needed. The property owners, on the Petition submitted, stated that the basis of the practical difficulty and justification of the variance was "for garage and storage".

The granting of variances from the B.C.Z.R. is provided for in Section 307 of those regulations. That section provides that variances can be granted where the Petitioner demonstrates that strict compliance with the zoning regulations would not result in practical difficulty or unreasonable hardship. Moreover, the variances should be granted only if in strict harmony with the spirit and intent of the regulations and only in

-2-

such a manner so as to ensure that there will be no injury to the public health, safety or general welfare. The Petitioner/property owner carries the burden to demonstrate that the variances are warranted and are not merely for the convenience of the landowner.

In this case, no such proof has been offered. Rather, the property owners have adopted a cavalier attitude. They did not attend the hearing, nor offer any evidence to satisfy their burden at law. They have not established that either practical difficulty or unreasonable hardship would exist if the variances were denied. Under the circumstances, the Petition must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of November, 1993 that a variance from Section 1801.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.3.b of the Comprehensive Manual of Development Policy (CHDP) to permit a distance between two buildings of 13 ft., in lieu of the required 25 ft., for buildings between the height of 20 and 25 ft., for a garage and storage, be and is hereby DENIED.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

LES/mm

ORDER RECEIVED FOR FILING
Date 11/4/93
By Dr. Smith

-3-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4306

November 2, 1993

Ms. Elizabeth Atueyi
Ms. Georgina Atueyi
14 Vivian Vale Court
Randallstown, Maryland 21133

RE: Case No. 94-70-A
Petition for Variance
Property: 14 Vivian Vale Court

Dear Ms. Atueyi:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES/mm
att.

ORDER RECEIVED FOR FILING
Date 11/4/93
By Dr. Smith



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 74 (L)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5052 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 30, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 62, 71, 72, 73, 74, 76, 77, 78, 81, 82, 84, 86, 87 and 88.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey Long*

Division Chief: *Pat Keller*

PK/JL:lw

ZAC.62/PZONE/ZAC1

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

November 17, 1993

Mr. Stuart Carasik
10 Vivian Vale Court
Randallstown, MD 21133

RE: Petition for Variance
14 Vivian Vale Court
2nd Election District
2nd Councilmanic District
Elizabeth N. Atueyi, et al - Petitioner
Case No. 94-70-A

Dear Mr. Carasik:

Please be advised that an appeal of the above-referenced case was filed in this office on November 16, 1993 by Elizabeth Atueyi and Georgina Atueyi. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Director

AJ:jaw

cc: People's Counsel

APPEAL

Petition for Variance
549 Ft. K of 1/1 Mary Ridge Rd
(14 Vivian Vale Court)
2nd Election District - 2nd Councilmanic District
Elizabeth Atueyi, et al - PETITIONER
Case No. 94-70-A

Petitioner's Exhibits

Description of Property

Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Petitioner's Exhibits: 1 - Plot to Accompany Variance

2 - Neighborhood Petition

Protestant's Exhibits: (Not Marked)

1 - Letter from Stuart Carasik dated August 30, 1993

Zoning Commissioner's Order dated November 4, 1993 (Denied)

Notice of Appeal received on November 6, 1993 from Elizabeth Atueyi and Georgina C. Atueyi

cc: Messrs. Elizabeth Atueyi and Georgina Atueyi, 14 Vivian Vale Court, Randallstown, MD 21133

Mr. Stuart Carasik, 10 Vivian Vale Court, Randallstown, MD 21133

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM

12/15/93 -Notice of Assignment for hearing scheduled for Wednesday,
February 23, 1994 at 10:00 a.m. sent to following:

Elizabeth Atueyi and
Georgina Atueyi
Mr. Stuart Carasik
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Elizabeth Atueyi, et al -Petitioners
Case No. 94-70-A

DATE : February 23, 1994 /at conclusion of hearing

BOARD /PANEL : Judson H. Lipowitz (JHL)
Harry E. Buchheister, Jr. (HEB)
S. Diane Levero (SDL)

SECRETARY : Kathleen C. Weidenhammer
Administrative Assistant

Those present included Elizabeth Atueyi and Georgina Atueyi, Petitioners; and Richard Ely and Cecil Ogle, Petitioners' contractors.

PURPOSE --to deliberate issues and matter of petition for variance presented to the Board; testimony and evidence taken this date. Opinion and Order to be issued by Board setting forth written findings of fact.

Opening statement by Acting Chairman Lipowitz included recitation of case number, name and subject of petition filed.

JHL: Reviewed testimony received as to the proposed garage, the subject property in general and its improvements; the signed petition entered as Petitioners' Exhibit No. 1 signed by both next-door neighbors, namely, Jon and Kathy Alexander (12 Vivian Vale Court) and Renee and James Watkins (16 Vivian Vale Court); and the special conditions of property. Upon review of all evidence and exhibits, inclined to grant requested variance; burden has been met.

Petition for Variance should be granted.

SDL: Agrees with JHL; inclined to grant for reasons as given by JHL. Petitioners have met burden of proof pursuant to BCZR. Petition should be granted.

HEB: Convinced from testimony and evidence that petition should be approved, primarily based on testimony of Ogle and Ely as to hardship of constructing garage in any other location, as well as obvious benefit it would bring.

Variance should be granted.

Deliberation /ELIZABETH ATUEYI, ET AL /94-70-A

JHL, in closing remarks, indicated that it was the final decision of the Board that the requested variance be granted; also addressed the issue of amendment to FDP, which would be further addressed in the Board's written Opinion and Order; believes it goes hand in hand with the final decision; written Opinion and Order to be issued, citing facts upon which the decision was made; appellate period to run from date of that written Opinion and Order and not from today's date.

Respectfully submitted,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: May 25, 1994

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed File: Case No. 94-70-A
ELIZABETH ATUEYI, ET AL
District 2c2

As no further appeals have been taken regarding the subject case, we are closing the file and returning same to you herewith.

Attachment



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

May 25, 1994

Elizabeth Atueyi
Georgina Atueyi
14 Vivian Vale Court
Randallstown, MD 21133

RE: Case No. 94-70-A
ELIZABETH ATUEYI, ET AL

Dear Ms. Atueyi:

As no further appeals have been taken regarding the subject matter, we have closed the file and returned same to the Office of Zoning Administration and Development Management, along with any exhibits entered in this matter. The Zoning Office maintains the permanent file.

Anyone interested in either the file or the exhibits is advised to contact the Zoning Director's office at 887-3353 immediately upon receipt of this letter. By copy of this letter, all parties of record that may have an interest in this file have been notified.

Sincerely,

Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

cc: Stuart Carasik
People's Counsel for Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 27, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Elizabeth and Georgina Atueyi
14 Vivian Vale Court
Randallstown, Maryland 21133

Re: CASE NUMBER: 94-70-A (Item 74)
14 Vivian Vale Court
N/S Vivian Vale Court, 540' +/- E of c/l Mary Ridge Road
2nd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 887-3353. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 5, 1993. The closing date (September 20, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

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on Recycled Paper



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 15, 1993

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 94-70-A

ELIZABETH N. ATUEYI, ET AL
540' E of c/l Mary Ridge Road
(14 Vivian Vale Court)
2nd Election District
2nd Councilmanic District

VAR - To permit distance between two buildings of 13' in lieu of required 25' for buildings between the height of 20 and 25'; Amendment to FDP of Old Mill Estates, Section 1.

11/04/93 - Z.C.'s Order in which Petition for Variances was DENIED.

ASSIGNED FOR: WEDNESDAY, FEBRUARY 23, 1994 at 10:00 a.m.

cc: Elizabeth Atueyi and
Georgina Atueyi

Appellants /Petitioners

Mr. Stuart Carasik

People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotrocco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

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on Recycled Paper

August 30, 1993

Mr. Lawrence Schmidt
Zoning Commissioner
Room 113 Old Court House
400 Washington Avenue
Towson, Maryland 21204

RE: Case 94-70A

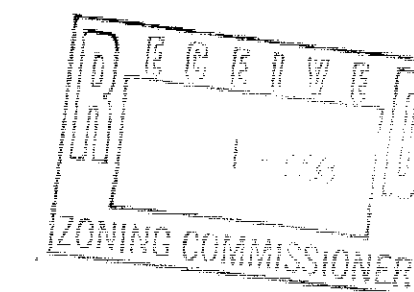
Dear Commissioner Schmidt:

I am concerned with your decision to allow a garage to be constructed on the property known as 14 Vivian Vale Court, Randallstown, Maryland 21133 (Lot #25). That property is not landscaped to accommodate a garage. When we first moved into our home at 10 Vivian Vale Court 11 years ago, we were told that the property would not support the weight of a garage. This information was supplied by the building engineer working for Ryland Homes at that time. We indicated that the amount of fill required to construct a garage would cause an undue amount of settlement that would in turn cause the garage to crumble.

My main concern is the unsightly situation that would result if this should occur. In addition, I am not sure that my neighbors are aware of this possible hazard. I do not know them, but would appreciate your passing along this information to them prior to their beginning construction. It may save them a lot of unnecessary expense. Thank you for your cooperation.

Sincerely yours,

Stuart Carasik
Stuart Carasik
10 Vivian Vale Court
Randallstown, MD 21133
855-9595



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

RE: Case No. 94-70-A
Appeal for Variance
Property: 14 Vivian Vale Court

Dear Sir,

Thanks for your letter dated November 2nd 1993. We do appreciate the time you took in explaining why our "Petition for Variance" (based on the provision of Section 1801.2.C.6 of the B.C.Z.R. and Section V.B.3.b of the CMDP) is denied. The reasons for the denial are well understood and from our point of view are based on

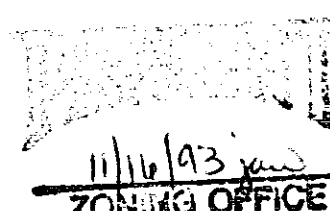
A. The correspondence received from Mr. Stuart Carasik who resides at 10 Vivian Vale Court.

B. That we adopted a cavalier attitude and consequently did not attend the hearing.

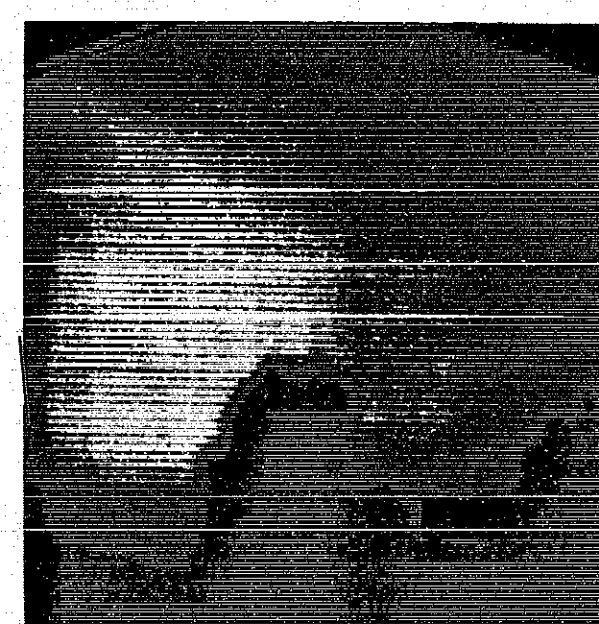
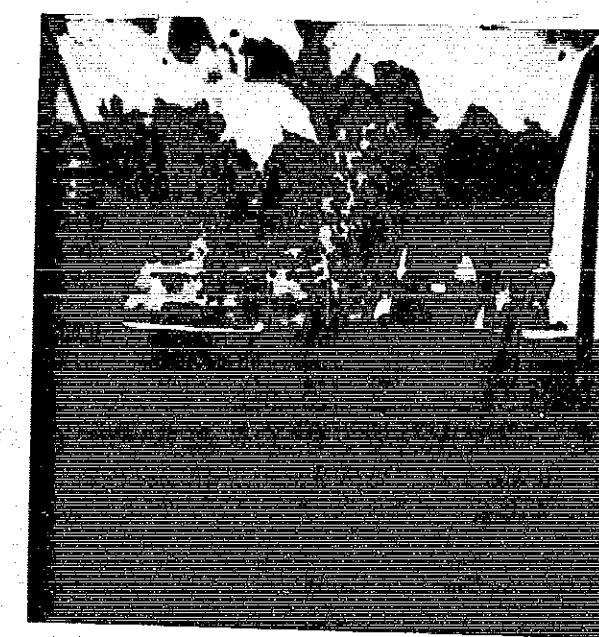
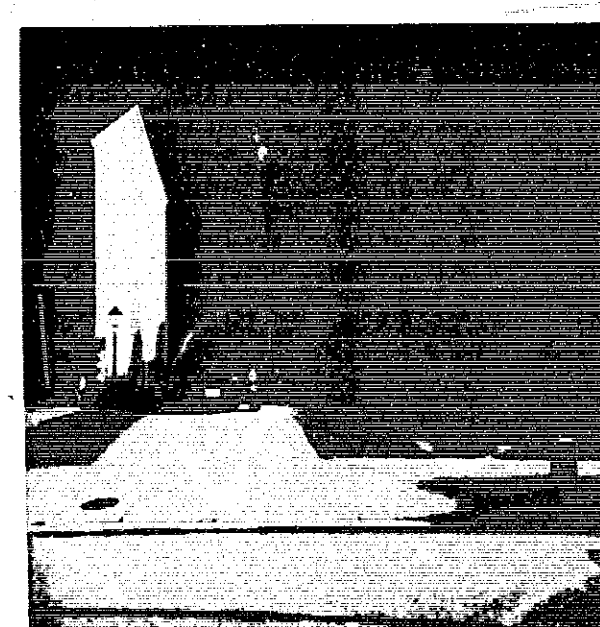
C. That we failed to prove or demonstrate why the Variances are warranted and not merely for the convenience of the landowner.

Based on misguidance, misinformation, and ignorance, from our contractors, we cannot but feel deprived of what is so appropriate for us. In lieu of this, we do appeal to be given another chance to be seen and heard after which any conclusion reached on our "Variance" request will be satisfactory to us.

OUR RESPONSE: On the surface, you are very correct, when you concluded that we adopted a cavalier attitude. In all honesty, we acted on the advice of our contractors Punte Contracting/City Maintenance Corporation. They did tell us our presence is not needed. On March 29 1993, we entered into a contract with Punte Contracting as evidenced in the enclosed copy. Shortly after that, we took out a loan from The Money Store. We are first home buyers and may explain



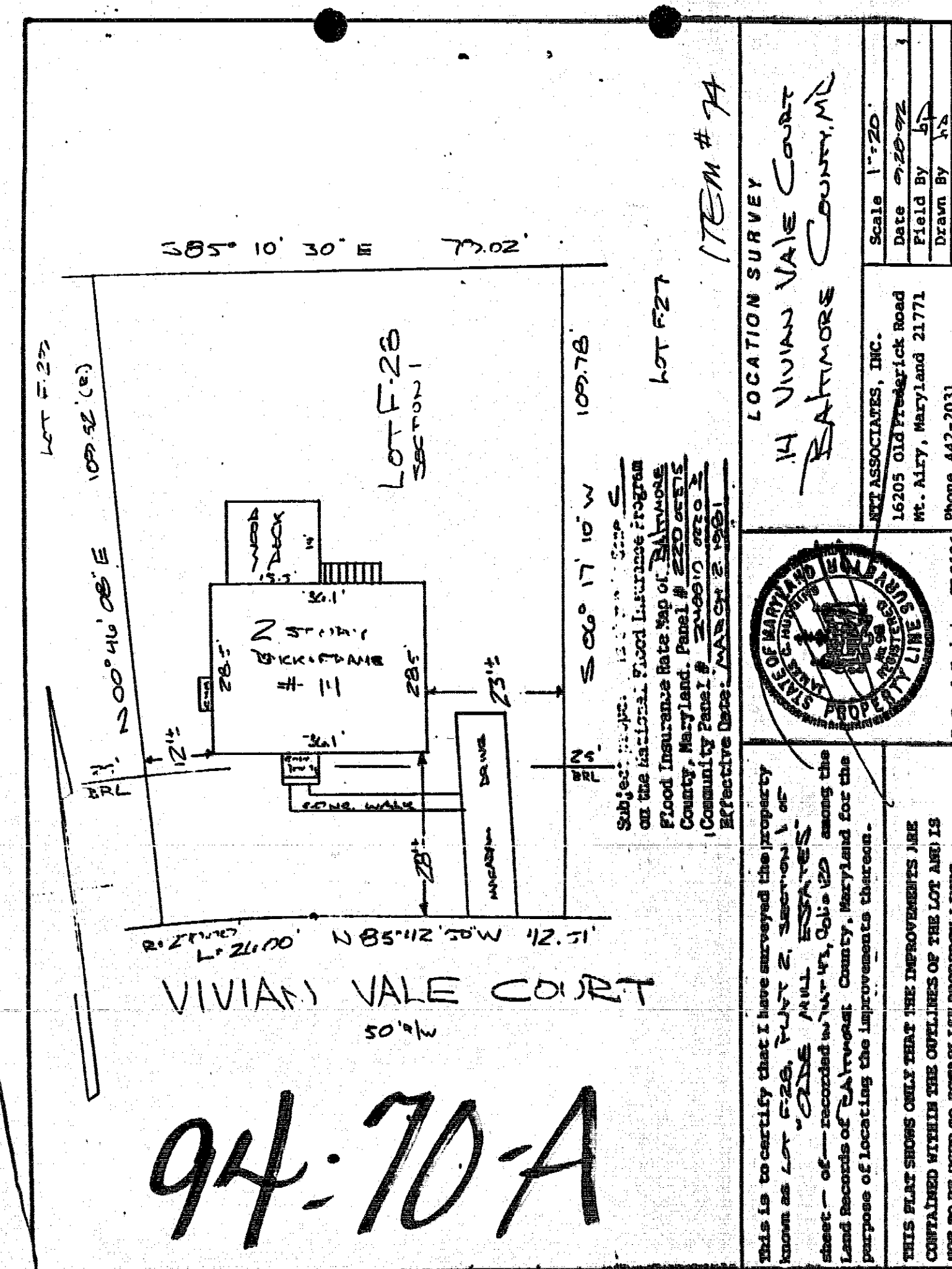
14 VIVIAN VALE CT
FRONT REAR



94-70-A

STORE

ITEM # 74



Plat to accompany Petition for Zoning Variance ☒ **Special Hearing**

PROPERTY ADDRESS: 14 Vivian Vale Court

Subdivision name: OLDE MILL ESTATES

plat # 2, folio 28, section 1

OWNER: 94-70-A

LOCATION INFORMATION

Election District: 2

Councilmanic District: 2

1"-200' scale map: NW 8 H

Zoning: DR 2

Lot area: 18,464 square feet

Proposed area: 8,042 square feet

Zoning Office USE ONLY!

reviewed by: RT ITEM # 74 CASE #

TO WHOM IT MAY CONCERN

We, the undersigned, do not intend to protest or have any problem with the erection or building of the proposed 'Garage' structure at 14 Vivian Vale Ct premises.

NAME SIGNATURE ADDRESS

1. Anne & James Washburn - 16 Vivian Vale Ct

2. Mary, David & Mary Kate - 14 Vivian Vale Ct

3. Isaac S. Manjor, Enelea K. Manjor - 13 Vivian Vale Ct

4. Johnny & Martena Clinton - 18 Vivian Vale Ct

5. Jon & Kathy Alexander - 12 Vivian Vale Ct

6. Charles & Pat Payne - 9 Vivian Vale Ct

TO WHOM IT MAY CONCERN

We, the undersigned, do not intend to protest or have any problem with the erection or building of the proposed 'Garage' structure at 14 Vivian Vale Ct premises.

NAME SIGNATURE ADDRESS

1. Anne & James Washburn - 16 Vivian Vale Ct

2. Mary, David & Mary Kate - 14 Vivian Vale Ct

3. Isaac S. Manjor, Enelea K. Manjor - 13 Vivian Vale Ct

4. Johnny & Martena Clinton - 18 Vivian Vale Ct

5. Jon & Kathy Alexander - 12 Vivian Vale Ct

6. Charles & Pat Payne - 9 Vivian Vale Ct

STANDARD FORM OF AGREEMENT BETWEEN CONTRACTOR AND OWNER

THIS AGREEMENT made the 29th day of March 1993 between the Owner, Elizabeth N. Atueyi, and the Contractor, Paul's Contracting, for the construction of the improvements called the 'Garage' structure at 14 Vivian Vale Ct premises.

ARTICLE 1. SCOPE OF THE WORK

The Contractor shall furnish all of the materials and perform all of the work shown on the Drawings and described in the Specifications and the Contract Documents.

ARTICLE 2. TIME OF COMPLETION

The work to be performed under this Contract shall be commenced upon receipt of permits and shall be substantially completed within 14 working days.

ARTICLE 3. THE CONTRACT SUM

The Owner shall pay the Contractor for the performance of the Contract, subject to additions and deductions provided therein, in current funds as follows: \$12,700.00

Authorized Change Orders will be submitted by the Contractor for all work not specifically included in this Contract.

ARTICLE 4. PROGRESS PAYMENTS

\$4,233.00 - Down payment

4,233.00 - Upon completion of footer & block foundation

2,117.00 - Upon completion of framing & roof

2,117.00 - Upon total completion & acceptance

ARTICLE 5. ACCEPTANCE AND FINAL PAYMENT

Final payment shall be due within 3 days after substantial completion of the work provided the work has been fully completed and the Contract fully performed.

ARTICLE 6. THE CONTRACT DOCUMENTS

The General Conditions of the Contract, the Specifications and the Drawings, together with this Agreement, form the Contract and shall be as fully a part of the Contract as if herein attached or hereon repeated. The following is a description of the Contract Documents:

Refer to proposal # 0423 for specifications

Owner: Paul's Contracting

Contractor: Craig Paul's

LENDER'S NAME AND ADDRESS: The Money Store/Maryland Inc.

BORROWER'S NAME AND ADDRESS: Elizabeth N. Atueyi

LOAN NO. 036-001-00601070-1 FEDERAL TRUTH-IN-LENDING DISCLOSURE Page 1

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	AMOUNT FINANCED	TOTAL OF PAYMENTS
15.34	\$22,808.26	\$14,608.34	\$37,416.60

Number of Payments	Amount of Payments	When Payments are Due
180	\$207.87	Monthly Beginning May 20, 1993

Security: You are giving a security interest in real estate located at: 14 Vivian Vale Court, Baltimore (Randallstown), Maryland 21133

Assumption: If checked this is a 'residential mortgage transaction'. Someone buying your house may not be permitted to assume the remainder of the mortgage obligation on the original terms.

Prepayment: If you pay off early you may have to pay a penalty. If you will not be entitled to a refund of part of the finance charge.

See your contract documents for any additional information about nonpayment, default, any required repayment in full before the scheduled date, prepayment refunds and penalties, and terms of assumption.

*See Truth In Lending Disclosure Page 1

The amounts shown as the finance charge and total of payments are based on the assumption that you will pay the monthly installments when due. Late payment of the monthly installments will increase the finance charge and total of payments; early payment will decrease them.

Insurance: Credit life insurance and credit disability insurance are not required to obtain credit and will not be provided unless you sign and agree to pay the additional cost. Disability insurance covers the insured borrower and is offered only with credit life.

Type	Premium
Credit Life	\$0.00
Credit Disability	\$0.00
Joint Credit Life	\$0.00

Borrowers may cancel credit life/disability insurance within 25 days of the loan upon written notice, together with the policy or certificate of insurance, to the lender and premium shall be refunded in full.

Term of insurance: If different than the term of the loan, Credit Life N/A months, Credit Disability N/A months. Property insurance is required and flood insurance may be required. Both may be obtained from anyone you want that is acceptable to the lender.

I have received a copy of this statement before signing any contract document concerning this loan.

Signature: Elizabeth N. Atueyi Date: 04/14/93

Signature: Georgina C. Atueyi Date: 04/14/93

Plat to accompany Petition for Zoning Variance ☒ **Special Hearing**

PROPERTY ADDRESS: 14 Vivian Vale Court

Subdivision name: OLDE MILL ESTATES

plat # 2, folio 28, section 1

OWNER: 94-70-A

LOCATION INFORMATION

Election District: 2

Councilmanic District: 2

1"-200' scale map: NW 8 H

Zoning: DR 2

Lot area: 18,464 square feet

Proposed area: 8,042 square feet

Zoning Office USE ONLY!

reviewed by: RT ITEM # 74 CASE #

LOCATION SURVEY

14 VIVIAN VALE COURT

BALTIMORE COUNTY, MD

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY KNOWN AS LOT 28, PLAT 2, SECTION 1 OF OLDE MILL ESTATES, AS RECORDED IN MAP 43, DATE 12-20-89, AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND, FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS THEREON.

THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS ARE CONTAINED WITHIN THE OUTLINES OF THE LOT AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES.

Surveyor: J. Carl Hudgins PL8896

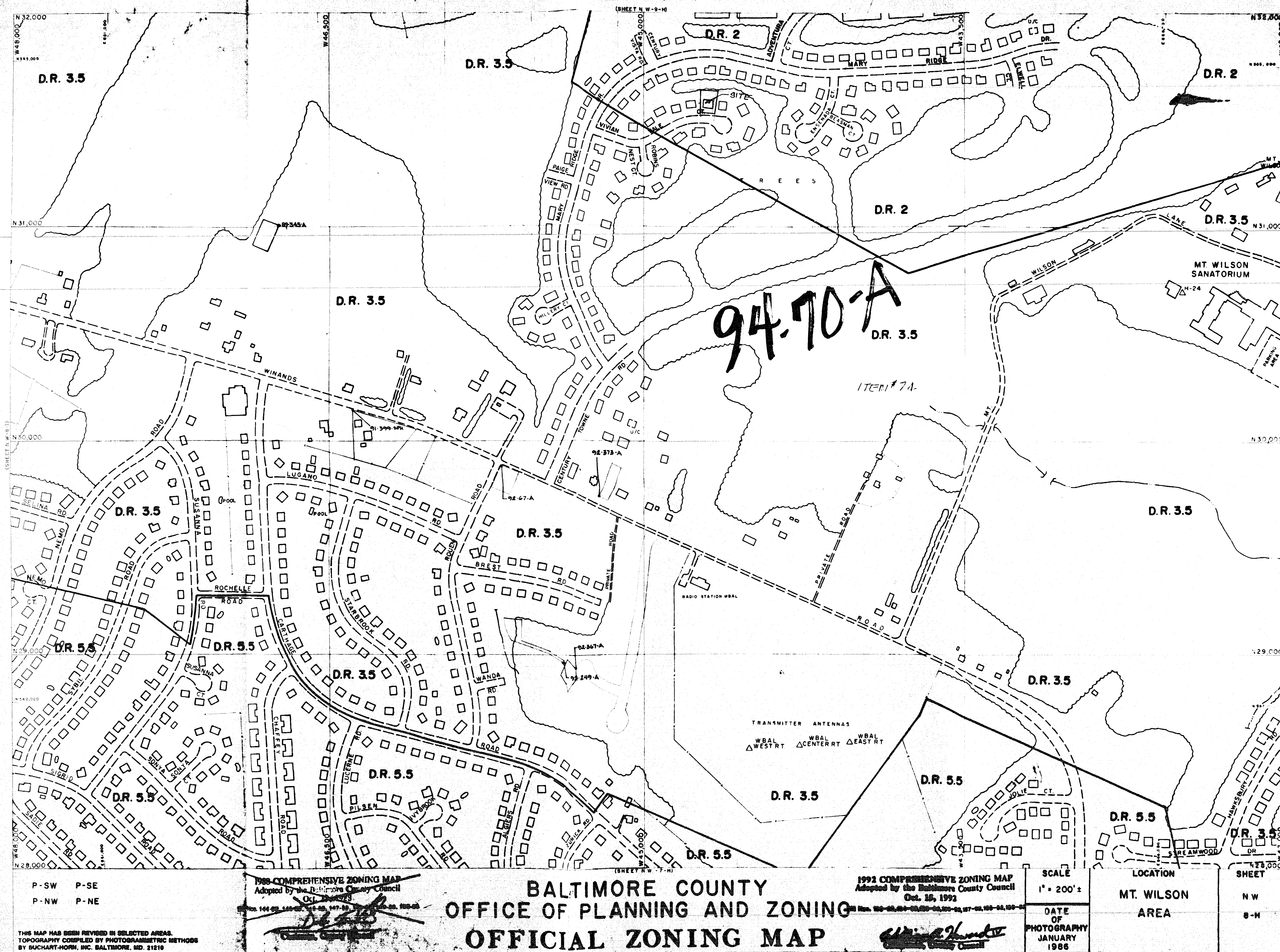
Scale: 1"=20'

Date: 4-22-93

Field By: SH

Drawn By: SH

Drawing: 1-28-93



P-SW P-SE
P-NW P-NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY SUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 12, 1979

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

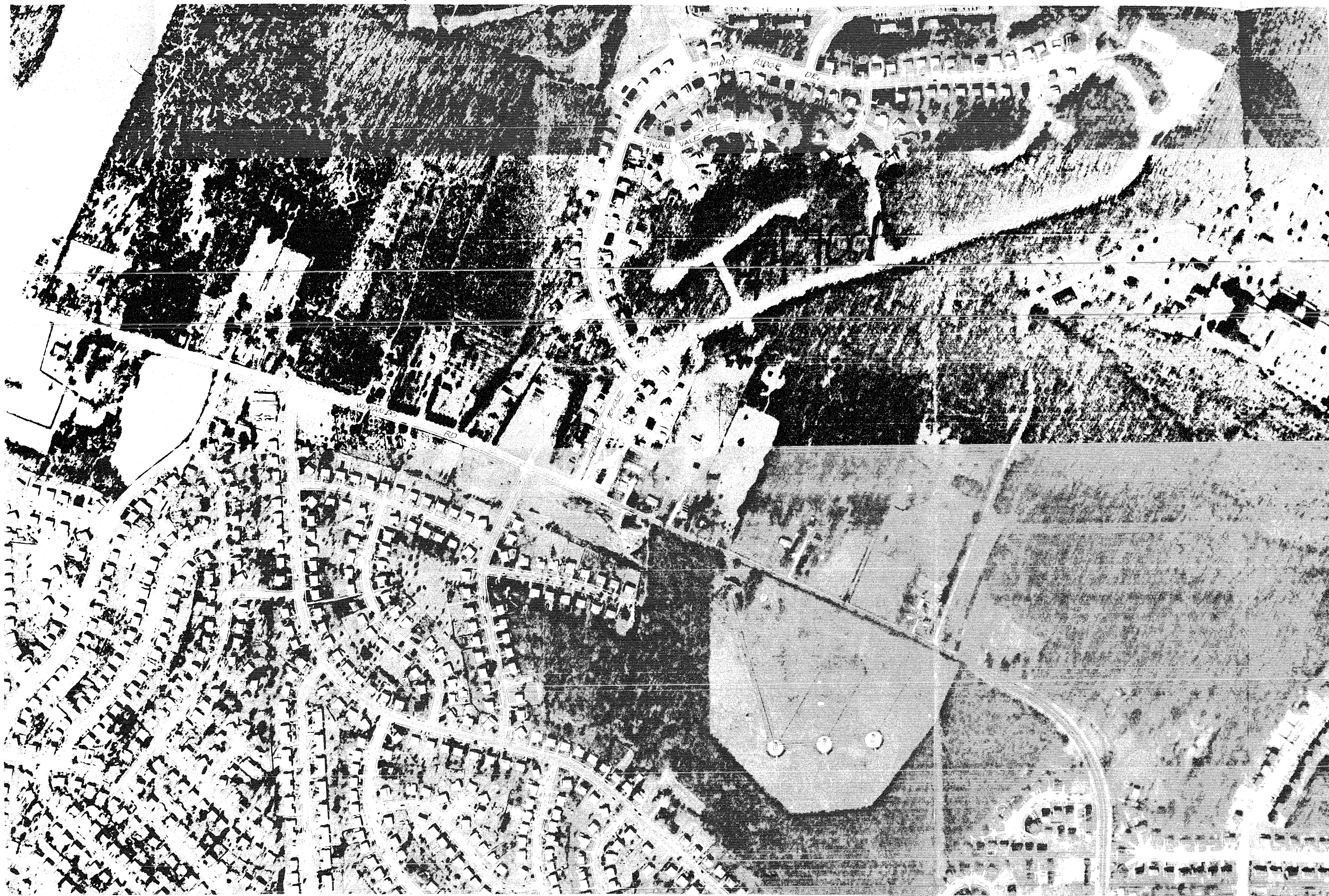
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SCALE
1" = 200'

DATE
OF
PHOTOGRAPH
JANUARY
1986

LOCATION
MT. WILSON
AREA

428
SHEET
NW
B-H



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	MT. WILSON AREA	N.W. 8-H
DATE OF PHOTOGRAPHY JANUARY 1986		